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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/387,654	08/31/1999	MICHEL K. BOWMAN-AMUAH	AND1P275	2844

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EXAMINER

FISHER, MICHAEL J

ART UNIT	PAPER NUMBER
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3629

DATE MAILED: 03/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/387,654

Applicant(s)

BOWMAN-AMUAH, MICHEL K.

Examiner

Michael J Fisher

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 December 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 1-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Grewal et al. (Grewal) in view of Nordstrom et al. (Nordstrom).

As to claims 1,2,13 and 14, Grewal discloses a system for batching information (claim 1) that batches messages (in different queues, Linkset-1, Linkset-0 as discussed in the abstract), which messages could be a group of business objects as the system could be used by a business, the messages are distributed according to a protocol (last sentence of abstract) and further, the system correlates information about the messages and delivers them according to the protocols, (message number or timer threshold as discussed in the abstract).

Grewal doesn't, however, teach batching the files into logically related requests so as to send a single network message with a parent batch and a dependent batch or verifying that the various messages do not change in response to a change of another message.

It would have been obvious to one of ordinary skill in the art to modify the structure as disclosed by Grewal by making sure that changes to one message do not change another message to ensure that incorrect messages are not sent.

Nordstrom discloses an interrupt and message batching method (title), that would inherently have a parent batch and a dependent batch as Nordstrom discloses batching messages together (claim 1).

It would have been obvious to one of ordinary skill in the art to modify the system as disclosed by Grewal by batching messages as Grewal discloses holding messages in queue until a message number threshold is reached (abstract).

As to claims 3 and 15, Grewal further discloses batching logically related requests, as discussed in relation to the various Linksets, unbundling them upon receipt (claim 1, message distribution), and further, it would be inherent that the messages would have an action associated with them and that they would be responded to.

As to claims 4 and 16, Grewal discloses providing a group of business objects necessary for a transaction (the reason for the messages), creates a receiver that communicates with the business objects (the service controller), and the messages would inherently be forwarded to the recipient intended.

As to claims 5 and 17, Grewal discloses grouping the messages according to parameters (for transmission over the various Linksets), using different weighting criteria (message number or timer threshold) and batching them into a message.

As to claims 6 and 18, Grewal discloses using the system in order to avoid interference between messages (abstract), the limitations of claim 6 are further well-known in the art as "queuing theory" and are used in any time-specific project that has interlocking steps, some of which are required before the next step can be done.

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As to claims 7-11, Grewal discloses using a computer for the process and therefore it would inherently use code to achieve the process, further, it would be inherent that the batch requests would be unbundled so as to be able to be read.

As to claim 12, the message would be changed upon completion of the task assigned.

Response to Arguments

Applicant's arguments and amendments in relation to the rejections under 35 U.S.C. 101 and 112 are considered persuasive and as such, these rejections have been removed. Applicant's arguments in relation to the rejection under 35 U.S.C. 103(a) filed 12/29/04 have been fully considered but they are not persuasive. As to arguments relating to the change in rejection between the second and third rejection, the examiner did indeed misread the Grewal reference and the initial rejection. However, the mistake was that the Grewal reference did not disclose batching files. Therefore, in the second rejection (the first Final), the examiner introduced a reference that applicant's representative, rightly, pointed out was unnecessary as the same limitation was included in a previous rejection. As a result of this, the examiner sent out the original rejection, reworded to meet the limitations as claimed in the amended claims, as the second final rejection. As such, while at one time the examiner misread the Grewal reference as not including the reference, as is discussed in the previous, final rejection and the current rejection, Grewal does teach batching of files. The second final rejection was deemed proper as it was merely responding to the amendment filed after the first,

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non-final rejection and included no new matter, while the first final rejection was flawed and required the second final rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael J Fisher whose telephone number is 703-306-5993. The examiner can normally be reached on Mon.-Fri. 7:30am-5:00pm alt Fri. off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on 703-308-2702. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Michael J Fisher



Patent Examiner
GAU 3629

MF 
3/18/05